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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
17414

In Re Application Of: Hiroyuki Yonekawa, et al.



Serial No.

10/768,332

Filing Date

January 30, 2004

Examiner

unassigned

Group Art Unit

unassigned

Title: GENE EXAMINING APPARATUS AND METHOD OF DETECTING TARGET NUCLEIC ACID USING THE SAME

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

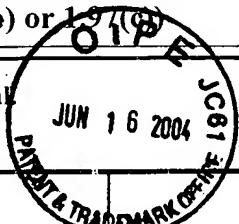
OR

the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
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GENE EXAMINING APPARATUS AND METHOD OF DETECTING TARGET NUCLEIC ACID

SAME

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

A check in the amount of _____ is attached.

The Director is hereby authorized to charge and credit Deposit Account No. **19-1013 SSMP** as described below.

- Charge the amount of _____
- Credit any overpayment.
- Charge any additional fee required.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F:

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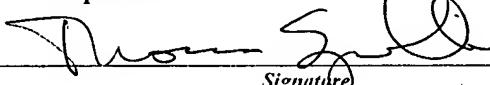
Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited on **6/14/04** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Thomas Spinelli

*This certificate may only be used if paying by deposit account.


 Signature

Dated: June 14, 2004

Thomas Spinelli, Reg. No. 39,533
 Customer No. 23389

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hiroyuki Yonekawa, et al.

Examiner: Unassigned

Serial No: 10/768,332

Art Unit: Unassigned

Filed: January 30, 2004

Docket: 17414

For: GENE EXAMINING APPARATUS
AND METHOD OF DETECTING
TARGET NUCLEIC ACID USING
THE SAME

Dated: June 14, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

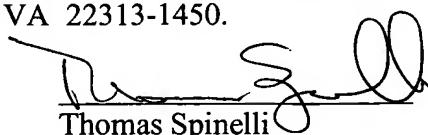
In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. U.S. Patent No. US 6,188,783, dated February 13, 2001, issued to Balaban et al.;
2. U.S. Patent No. US 6,235,476, dated May 22, 2001, issued to Bergmann et al.;
3. PCT Domestic Publication No. 2000-501301, dated February 8, 2000 together with an English language abstract; and

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 14, 2004



Thomas Spinelli

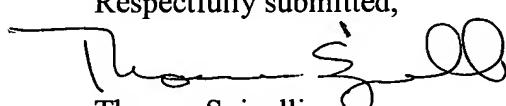
4. PCT Domestic Publication No. 2000-515251, dated November 14, 2000 together with an English language abstract.

References 3 and 4 are cited in the specification. Copies of references 3 and 4 are enclosed. In accordance with the waiver of 37 C.F.R. § 1.98 (a)(2)(i) in effect as of June 30, 2003, applicants are not required to submit copies of the above-cited U.S. Patent references 1 and 2.

Also enclosed is a Translation of the International Preliminary Examination Report dated January 24, 2003. Please note that the references cited in the Preliminary Examination Report were filed in the Information Disclosure Statement dated January 30, 2004.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,



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